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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,666	01/23/2004	Leonid C. Lev	GP-303626	9378

7590 01/25/2006

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EXAMINER	
LE, HUNG CHARLIE	

ART UNIT	PAPER NUMBER
3725	

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/763,666	LEV ET AL.	
	Examiner	Art Unit	
	Hung C. Le	3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11/14/2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 - 37* is/are pending in the application.

4a) Of the above claim(s) *2 - 4, 11 - 37* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 5 - 10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *23 January 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Restriction Requirement

Applicant's response to restriction requirement, see "RESPONSE", filed 11/14/2005, with respect to Claims 1 – 37 have been fully considered.

Applicant selected Claims 1, 5 – 10 to be considered. Remaining Claims 2 – 4, 11 – 37 were withdrawn by applicant.

Abstract

The abstract of the disclosure is objected to because it is longer than 150 words

Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 recites the limitation "the form" in Line 1. There is insufficient

antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the at least two guide rollers" in Line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 5 - 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Wagner et al. (4,214,469).

With respect to Claim 1:

Wagner et al. disclose: An apparatus for plastically deforming a work piece (M) in form of a sheet, comprising:

at least two cylindrical guide rolls (1, 2; Fig. 1) rotatable in a first direction, each of said cylindrical guide rolls having an outer circumference;

a bendable strip (3) having a portion of at least one surface in communication with a portion of the outer circumference of each of the at least two guide rollers (1, 2; Fig. 1), said bendable strip (3) being capable of motion around the at least two guide rollers (1, 2) in the first direction and exerting a force upon a work piece (M) (Fig. 1),

a first cylindrical feeding roll (24, Fig. 3) rotatable in a second direction opposite to the first direction, said first cylindrical feeding roll (24) having an outer circumference (Fig. 3),

a plastic deformation passage (see Fig. 1) having a first surface and a second surface, at least a portion of the first surface being defined by a portion of the bendable strip (3), and at least a portion of the second surface being defined by the outer circumference of the first cylindrical feeding roll (24) (Fig. 3),

wherein one or both of the bendable strip (3) and the cylindrical feeding roll (24), when in motion, propel the work piece (M) through the plastic deformation passage wherein it is plastically deformed. (See Fig. 3)

With respect to Claim 5:

Wagner et al. further discloses: A plastic deformation passage wherein another portion of the first surface of the plastic deformation passage is defined by a die (5, Fig. 3).

With respect to Claim 6:

Wagner et al. further discloses: The die (5) compresses a deformable work piece (M) between itself and the feeding roll (24) (See Fig. 3).

With respect to Claim 7:

Wagner et al. further discloses: The plastic deformation passage further comprises a channel (17, Fig. 1) defined by an upper and lower die (5, Fig. 3), said upper die being in communication with a portion of the bendable strip (3, Figs.1 & 3) and said lower die being in communication with the outer circumference of the feeding roll (24) (Fig. 3).

With respect to Claim 8:

Wagner et al. further discloses: a single one-piece die (5) comprises the upper and lower die (See Fig. 3).

With respect to Claim 9:

Wagner et al. further discloses: The upper die (5, Fig. 3) is in communication with a portion of the bendable strip (3) that is in communication with one of the cylindrical guide rolls (1, 2) (see Figs. 1 & 3)

With respect to Claim 10:

Wagner et al. further discloses: The channel is an angled channel (See Fig. 7).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung C. Le whose telephone number is 571-272-8757. The examiner can normally be reached on M-F: 08:00am - 05:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on 571-272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HCL
01/18/06

DERRIS H. BANKS
SUPERVISORY PATENT EXAMINER
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